

Message Text

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ACTION NEA-09

INFO OCT-01 ISO-00 L-02 STR-01 EB-07 COME-00 TRSE-00

CIAE-00 INR-07 NSAE-00 H-02 /029 W

----- 013442

R 120500Z MAR 75W

FM AMCONSUL LAHORE

TO SECSTATE WASHDC 351

INFO AMEMBASSY ISLAMABAD

LIMITED OFFICIAL USE SECTION 1 OF 2 LAHORE 0290

E.O. 11652: N/A

TAGS: EINV, ETRT, PK

SUBJECT: NATIONALIZATION OF CHURCH PROPERTY ---

GSP ELIGIBILITY

REFS: A. STATE 41429

B. ISLAMABAD 1723 NOTAL

C. ISLAMABAD 1802

D. STATE 48181

SUMMARY: LOCAL AMERICAN OFFICIALS OF UNITED PRESBYTERIAN (UP) CHURCH CALLED AT CONGEN MARCH 11 TO STATE THEIR CURRENT ATTITUDE AND PLANS FOR DEALING WITH PUNJAB GOVERNMENT TAKEOVER OF SCHOOLS IN 1974. THEY INDICATED THAT THEY WERE STILL IN PRELIMINARY STAGE OF THINKING, AND BELIEVED FIRST STEPS SHOULD BE TO HOLD DISCUSSIONS WITH (A) PAK-ISTANI CHRISTIANS AND THEN (B) PUNJAB GOVERNMENT OFFICIALS. THEY REPEATED EARLIER ASSERTION THAT UP CHURCH IS MORE INTERESTED IN "PROPRIETARY RIGHTS" THAN IN MONETARY COMPENSATION. HOWEVER, THEY ALSO INDICATED THEY WERE LEANING TOWARD CONCLUSION THAT USG SHOULD BE ASKED IN NEAR FUTURE TO HELP UNTANGLE CURRENT IMPASSE. THEY HOPED TO HAVE FIRM PLANS BY MAY 1 TO BE PRESENTED TO UP MEETING IN NEW YORK ON MAY 15. THEY HAD SEVERAL QUESTIONS ABOUT TRADE ACT OF 1974, EXPECIALLY SECTION 502(B)2 AND ITS DEFINITION OF COMPENSATION AND NEGOTIATIONS. THEY WERE INFORMED THAT

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EMBASSY HAD DECIDED NOT REPEAT NOT TO APPROACH MFA ON BE-

HALF OF UP FOR TIME BEING, AND SEEMED TO AGREE THAT TIME
HAD NOT YET COME FOR SUCH ACTION. END SUMMARY.

1. UP AMERICAN OFFICIALS IN PAKISTAN, REVEREND ROBERT
TEBBE (SENIOR UP MISSIONARY IN PAKISTAN) AND IRVIN G.
LOTZE (PROPERTY MANAGER FOR UP) CALLED ON DPO MARCH 11
TO DISCUSS ISSUE OF GOPUNJAB TAKEOVER OF SCHOOLS IN 1974,
INCLUDING THOSE ON UP-OWNED PROPERTY. THEY RECALLED THEIR
MEETING ON FEBRUARY 27 WITH EMBASSY ECON COUNSELOR AND ASKED
WHY CONGEN HAD ALSO EXPRESSED INTEREST IN TALKING TO THEM.
DPO EXPLAINED THAT HE HAD HEARD ABOUT FEBRUARY 27 MEETING
FROM ECON COUNSELOR, BUT WE WONDERED IF SINCE THAT TIME THEY
HAD DEVELOPED QUESTIONS OR PRELIMINARY CONCLUSIONS.

2. DPO ALSO INFORMED VISITORS THAT, AFTER THEIR CALL ON
ECON COUNSELOR, SUBJECT HAD BEEN DISCUSSED WITH CHARGE,
AND EMBASSY HAD DECIDED THAT IT WOULD NOT AT PRESENT TIME
APPROACH MFA ON BEHALF OF UP FOR FEAR THAT SUCH APPROACH
MIGHT BE COUNTER-PRODUCTIVE. TEBBE SAID HE COULD UNDERSTAND
EMBASSY'S DECISION AND OPINED THAT IT MIGHT BE TOO EARLY
TO MAKE SUCH MOVE JUST NOW, ALTHOUGH ONE COULDSARGUE THAT
IT WOKLD SERVE AS WARNING TO GOP WHICH WOULD FILTER DOWN TO
GOPUNJAB AND PERHAPS MAKE PROVINCIAL OFFICIALS MORE FORTH-
COMING IN THEIR DISCUSSIONS WITH UP AND OTHER CHRISTIAN
OFFICIALS IN LAHORE.

3. RDVEREND TEBBE SAID THAT UP ACTIONS IN FUTURE WOULD
VERY MUCH DEPEND UPON ATTITUDE OF GOPUNJAB. HE NOTED THAT
GOPUNJAB LEGAL DEPARTMENT IN CIRCULAR LETTER DATED NOVEMBER
1974, OPINED THAT 1974 TAKEOVER OF SCHOOLS GAVE GOPUNJAB
PROPRIETARY RIGHTS OVER "MISSIONARY" SCHOOLS, PRESUMABLY
INCLUDING UP PROPERTY. (LETTER TO WHICH TEBBE REFERRED
IS ONE NUMBERED S.O. (R&B)1/92-74, FROM PROFESSOR S.M.
IQBAL ANSARI, DEPUTY SECRETARY (N&I) GOPUNJAB. BELIEVE
EMBASSY AND DEPARTMENT HAVE COPIES.)

4. TEBBE, PURSUING THEME HE REPEATED SEVERAL TIMES DURING
CONVERSATION, SAID EVERYTHING DEPENDED UPON ATTITUDE OF
GOPUNJAB. IF GOPUNJAB EVINCED FORTHCOMING STTITUDE OR
WERE WILLING TO SIT DOWN AND TALK SERIOUSLY ABOUT SUBJECT,
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THEN UP CHURCH WOULD PROBABLY SEE NO REASON TO INVOLVE UEG
IN COULUTMNT THAT UP PROPERTIES HAD BEEN EXPROPRIATED WITH-
OUT COMPENSATION. HOWEVER, HE EXPECTED GOPUNJAB OFFICIALS
TO RESPOND THAT, SINCE UP CHURCH WAS FOREIGN ORGANIZATION,
MATTER WOULD HAVE TO BE HANDLED BY GOP AND TO SUGGEST TO
UP OFFICIALS TUAT THEY APPROACH CENTRAL GOVERNMENT ON MATTER.

5. BUT BEFORE MEETING WITH PROVINCIAL OFFICIALS, TEBBE

BELIEVED UP CHURCH'S FIRST STEP SHOULD BE DISCUSSIONS WITH "NATIONAL BROTHERS" TO SEE WHAT THEY WANTED TO DO ABOUT MATTER. HE EXPLAINED THAT "NATIONAL BROTHERS" WAS TERM HE USED FOR PAKISTANI CHRISTIANS, INCLUDING INSTITUTIONS, CHURCHES AND SCHOOLS. HE SAID HE AND LOTZE WOULD ATTEMPT TO TALK TO THEM WITHIN NEXT MONTH. THEREAFTER, UP CHURCH SHOULD BE IN POSITION BY MAY 1 TO KNOW "WHAT MUST BE DONE." HE AND LOTZE SAID IT WAS IMPORTANT TO BE PREPARED BY THAT TIME BECAUSE UP CHURCH IN AMERICA WOULD BE HOLDING NATIONAL CONFERENCE IN NEW YORK ON MAY 15, AT WHICH TIME THEY HOPED TO PRESENT THEIR POSITION FORMALLY.

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TO SECSTATE WASHDC 352

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6. DISCUSSION THEN TURNED TO DETAILED UP TACTICS AND GOPUNJAB ACTIONS. LOTZE MAINTAINED THAT UP WORKED ON BASIC PREMISE THAT CHURCH OPERATIONS WERE NOT SOMETHING WHICH COULD BE DEFINED IN MONETARY TERMS, AND UP WAS NOT ESSENTIALLY INTERESTED IN MONEY. RATHER, IT WAS INTERESTED IN "PRINCIPLES" AND IN "PROPAGATION OF HOLY GOSPEL." HE ASSERTED THAT AMERICAN CITIZENS WORKING FOR UP IN PAKISTAN HAD BEEN GRANTED VISAS FOR SUCH PURPOSES AND THAT, MOREOVER, PUBLICLY STATED GOP POLICY WAS THAT THEY AS WELL AS PAKISTANI CHRISTIANS WERE FREE TO PRACTICE THEIR RELIGION.

7. HOWEVER, IF UP FELT IT WAS BEING PUSHED INTO CORNER AND THAT CHURCH SCHOOLS WERE NOT BEING ALLOWED TO FUNCTION IN ACCORDANCE WITH PUBLIC STATEMENTS MADE IN 1972 BY THEN-PRESIDENT BHUTTO AND GOP MINISTER PIRZADA,

UP WOULD FIGHT BACK AND PROBABLY DEMAND COMPENSATION. WHAT UP REALLY WANTED, THOUGH, WAS "PROPRIETARY RIGHTS," TO INCLUDE ALL ITS PROPERTIES SUCH AS CHURCHES, RESIDENCES, SCHOOLS, FARMS AND CONVENTION HALLS. AT THIS POINT, TEBBE INTERJECTED THAT HE FEARED THINGS WERE IN SUCH A "MESS" THAT USG WOULD PROBABLY EVENTUALLY HAVE TO INTERVENE TO HELP GET IT UNTANGLED.

8. LOTZE CLAIMED TO HAVE PROOF THAT GOPUNJAB HAD PAID RENTS TO SOME TAKEN-OVER SCHOOLS WHICH HAD BEEN RENTING FROM PRIVATE OWNERS PRIOR TO NATIONALIZATION. BUT PRO-LIMITED OFFICIAL USE

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VINCIAL GOVERNMENT HAD NEVER PAID RENTS TO UP, WHICH HAD NEVER DEMANDED ANY RENTS; NOR HAD IT ASKED FOR RENT FROM CHRISTIAN SCHOOLS PRIOR TO NATIONALIZATION. IN ADDITION, HE CITED SEVERAL INSTANCES WHERE GOPUNJAB HAD PAID RENTS TO THIRD PARTIES IN SIALKOT AND LAHORE, AND SAID IT HAD OFFERED TO PAY RENT TO SCHOOL IN LYALLPUR, WHERE BUILDING, BUT NOT LAND, WAS OWNED BY UP CHURCH. HE SAID HE ADVISED SCHOOL TO ACCEPT RENT.

9. LOTZE THOUGHT UP SHOULD TRY TO NEGOTIATE RENTAL AGREEMENT WITH PROVINCIAL GOVERNMENT TO PUT THINGS ON MORE SOLID LEGAL BASIS, ALTHOUGH THIS WOULD BE DEPARTURE FROM BASIC PREMISE UPON WHICH UP CHURCH NORMALLY WORKED. IF UP COULD GET AGREEMENT FOR PAYMENT OF RENT OF EVEN \$1 PER YEAR, ALONG WITH FIRM GUARANTEE BY PROVINCIAL GOVERNMENT THAT UP "PRINCIPLES" WOULD BE PROTECTED, LOTZE ARGUED, WOULD SOLVE CHURCH'S PROBLEM.

10. TEBBE INTERJECTED THAT SUCH COURSE OF ACTION WOULD BE "ANATHEMA" TO UP HOME OFFICE IN NEW YORK. HE OPINED, HOWEVER, THAT UP MIGHT HAVE TO OPT FOR SUCH COURSE, IN PART BECAUSE HE DID NOT BELIEVE GOPUNJAB COULD AFFORD TO PAY COMPENSATION. LOTZE ESTIMATED FCC PROPERTY IN LAHORE ALONE WAS PROBABLY WORTH SOMEWHERE BETWEEN FIVE AND TEN MILLION DOLLARS, A SUM HE DOUBTED WAS AVAILABLE TO GOPUNJAB.

11. RETURNING TO SUBJECT OF UP TACTICS, TEBBE HOPED, FOR SAKE OF UP LONG-RANGE GOALS, THEY WOULD FIND OFFICIALS AT PROVINCIAL AND FEDERAL GOVERNMENT LEVELS SYMPATHETIC AND FORTHCOMING, BUT FEARED THIS WOULD NOT BE CASE. HE NOTED THAT SEVERAL PAKISTANI CHRISTIANS HAD RECENTLY REPORTED THAT PROVINCIAL AND FEDERAL OFFICIALS HAD REMARKED THAT "THINGS HAVE CHANGED SINCE 1972." MOREOVER, CHRISTIANS SAID ATTITUDE OF OFFICIALS WAS "TOUGH." LOTZE WISHED PAKISTANI CHRISTIANS WOULD COMPLEMENT UP APPROACHES TO OFFICIALS BY TALKING DIRECTLY TO GOP EDUCATION MINISTER PIRZADA. BUT BOTH MEN AGREED, "ALL DEPENDS ON THE ATTITUDE

OF THE PROVINCIAL GOVERNMENT."

12. TEBBE INQUIRED WHETHER, ONCE THE TRADE ACT OF 1974 COMES INTO FORCE, IT COULD BE ASSUMED THAT LIST OF COUNTRIES LIMITED OFFICIAL USE

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EXCLUDED FROM GSP UNDER TITLE V COULD NOT BE CHANGED FOR SUCCEEDING TEN YEARS. DPO RESPONDED THAT HE BELIEVED LIST COULD BE CHANGED AT ANY TIME USG FOUND THAT PARTICULAR COUNTRY SHOULD BE REMOVED OR ADDED. HOWEVER, HE CAUTIONED THAT HIS OPINION WAS PERSONAL, AND SHOULD NOT BE CONSIDERED OFFICIAL, PENDING ADVICE FROM DEPARTMENT.

13. TEBBE THEN ASKED FOR EXPLANATION OF LANGUAGE CONTAINED SECTION 502(B)4, ESPECIALLY WITH REGARD TO "PROMPT, ADEQUATE, AND EFFECTIVE COMPENSATION," AND "GOOD FAITH NEGOTIATIONS." DPO AGAIN CAUTIONED THAT HIS RESPONSE WOULD BE PERSONAL AND BASED ONLY ON OWN EXPERIENCE, AND ADVISED UP OFFICIALS THAT DEFINITIVE ANSWER WOULD HAVE TO COME FROM DEPARTMENT. DPO RECALLED, HOWEVER, INSTANCE OF CEYLON GOVERNMENT TAKEOVER OF AMERICAN OIL COMPANIES IN 1962, AND OUTLINED EVENTS LEADING UP TO EVENTUAL SUSPENSION OF AID TO THAT COUNTRY, INCLUDING VARIOUS DISCUSSIONS AS TO MEANING OF "PROMPT AND ADEQUATE COMPENSATION" AND "MEANINGFUL NEGOTIATIONS."

14. TEBBE AND LOTZE SEEMED SATISFIED, BUT THEN ASKED WHAT DPO THOUGHT REACTION OF GOP WOULD BE IF UP CHURCH FORMALLY REQUESTED USG TO INTERVENE ON ITS BEHALF, CLAIMING EX-PROPRIATION OF PROPERTY WITHOUT ADEQUATE COMPENSATION OR EFFECTIVE NEGOTIATIONS. DPO SAID HE COULD NOT PREDICT WHAT GOP REACTION MIGHT BE, AND NOTED THAT VARIOUS POSSIBILITIES WOULD BE OPEN TO GOP. LOTZE WOUND UP CONVERSATION BY SAYING, "THIS COULD TAKE 20 YEARS TO SORT OUT."
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